

SHIPPED: 1-5-63 and 9-6-63, from Greeley, Colo., and Huntington, W. Va.

LIBELED: 10-10-63, E. Dist. Ky.

CHARGE: 402(a) (4)—held under insanitary conditions.

DISPOSITION: A default decree of condemnation was entered on 4-27-64. On 4-30-64, the decree was vacated pending reconditioning. On 4-28-65, a second decree was entered and the articles were destroyed.

30274. Canned cut green beans. (F.D.C. No. 51096. S. No. 26-201 B.)

QUANTITY: 109 cases, each containing 24 15½-oz. cans, at Siloam Springs, Ark.

SHIPPED: 2-19-65, from St. Louis, Mo., by Allen Canning Co., Siloam Springs, Ark. This was a return shipment.

LABEL IN PART: (Can) "Deck's Cut Green Beans \* \* \* Distributed by Deck Sales Agency Springfield, Mo."

LIBELED: 3-1-65, W. Dist. Ark.

CHARGE: 402(a) (3)—when shipped, the article contained decomposed beans; and 403(h) (1)—the article fell below the standard of quality for canned cut green beans, since the article contained more than 8 percent by count of blemished units, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 5-5-65. Default—destruction.

30275. Dried small red beans. (F.D.C. No. 50268. S. Nos. 96-804 A, 96-811 A.)

QUANTITY: 248 100-lb. bags at Manteca, Calif.

SHIPPED: 5-29-64, from Kennewick, Wash.

LIBELED: 8-4-64, N. Dist. Calif.

CHARGE: 402(a) (3)—contained rodent urine while held for sale.

DISPOSITION: On 1-4-65, a default decree of condemnation was entered ordering destruction of the article. The decree was subsequently vacated and the article was claimed by Klein Bros., Inc., Stockton, Calif. A consent decree of condemnation was entered on 3-11-65, providing for reconditioning; 475 lbs. were destroyed.

#### TOMATOES AND TOMATO PRODUCTS

30276. Canned tomatoes (2 seizure actions). F.D.C. Nos. 51249; 51278. S. Nos. 55-591 B; 55-598/99 B.)

QUANTITY: 2,015 cases, each containing 24 1-lb. cans, at York, Pa.

SHIPPED: Between 3-8-65 and 3-23-65, from Hagerstown, Md., by Miller's Celery & Asparagus Farms.

LABEL IN PART: (Cans) "Penn Dale Tomatoes \* \* \* Distributed by Associated Wholesalers, Inc., York, Pa."; and "Shurfine Fancy Whole Tomatoes \* \* \* Distributed by Eastern Retailer-Owned Grocers Cooperative, Inc., New York, N.Y."

LIBELED: 4-2-65 and 4-22-65, M. Dist. Pa.

CHARGE: 402(a) (3)—contained fly eggs and maggots; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 7-2-65. Consent—claimed by Miller's Celery & Asparagus Farms. Segregated; 1,776 cans destroyed.